

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, June 20, 2000
Tuesday, 9:05 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Lambke, Martz, Pisciotte, Rogers; present. *Council Member Gale absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by Ashok Aurora, Hindu.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

*Council Member Gale present.

Minutes -- approved

The minutes of the regular meeting of June 13, 2000, were approved 7 to 0.

AWARDS AND PRESENTATIONS

SERVICE CITATION

Distinguished Service Citation was presented.

NEW BUSINESS

PAVE HOOVER

PETITION TO PAVE HOOVER COURT, NORTH OF MAY STREET. (District V)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 00-0598.

The signature on the Petition represents 1 of 2 (50%) resident owners and 77.1% of the improvement district area. A June 5, 2000 meeting of District Five Advisory Board was held to discuss the Petition. No property owners were present.

Hoover Court is an unimproved sand road that provides access to an industrial area.

The project budget contained in the Petition is \$128,000 with the total assessed to the improvement district. The method of assessment is the fractional basis. The estimated rate of assessment is \$32,000 per lot. The project budget includes an estimated amount for the construction of drive approaches which are assessed directly to individual properties and are in addition to the estimated amount to construct the street.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried

Martz moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-256

Resolution of findings of advisability and Resolution authorizing improving of Hoover Court from the west line of Hoover Avenue, west to and including the cul-de-sac, (west of Hoover, north of May Street), 472-83244, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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TAX CREDITS

INTER-FAITH MINISTRIES – RESOLUTION OF SUPPORT FOR TAX CREDITS. (District VI)

Roy Johnson

Director of Housing Services reviewed the Item.

Agenda Report No. 00-0599.

Inter-Faith Ministries has notified the City of Wichita Housing Services Department of their intent to file an Housing Tax Credit application with the Kansas Department of Commerce and Housing for \$2,160,970 on or before July 3, 2000. The project to be undertaken includes acquisition, demolition and ultimate construction of 35 housing units on the 800 block of North Market. The current street address are 822 N. Market through 211 E 8th Street (Lots 100-112, Munger's Original Town). Nine (9) of the units will be 2 bedroom units and the 26 will be 1-bedroom units. The housing will be targeted toward chronically mentally disabled, homeless persons and low and moderate income persons. Supportive services will be provided by Inter-Faith Ministries.

In accordance with City Council Resolution No. R-95-479, the applicant agency has notified residents of the project and of the public hearing to provide comments. The Kansas Department of Commerce and Housing requires the submittal of a Resolution from the local Governing Body and approved by the Mayor. The resolution includes language to the effect that the City is in need of housing, and that the resolution will continue to be effective until the units are rehabilitated.

The resolution also requires that the notice form be approved by the Director of Housing Services. A copy of the notice has been provided, and has been deemed acceptable.

Low Income Housing Tax Credits are part of the financing package for the construction of the 35 units.

The resolution also requires that the City Council shall conduct a public hearing. Upon closing the public hearing, the City Council may vote on a motion to approve the application for low-income housing tax credits.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Rev. Sam Muyskens

Rev. Sam Muyskens said the project began with the City helping write a grant agreement for the chronically mentally disabled. The neighborhood associations have been made aware of the project and will send letters of recommendation with the application.

Regarding providing parking at the rear of the structure, Rev. Muyskens said the project may become two-stories in order to compact the building to allow for adequate parking at the back of the property.

Motion --

-- carried

Cole moved that the public hearing be closed; the letter of support for the housing tax credit application be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-257

A Resolution establishing support for an application for Low Income Housing tax Credits for a project proposed by Inter-Faith Ministries, Inc. as required by the State of Kansas, presented. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

DAB ORD AMENDMENT AMENDMENT TO THE DISTRICT ADVISORY BOARD ORDINANCE.

Gary Rebenstorf

Director of Law reviewed the Item.

Agenda Report No. 00-0601.

The City Council has taken action to implement a new structure for citizen participation. In December, 1999, the District Advisory Board structure was established. Although the overall operation of the District Advisory Boards has proven to be satisfactory, a clarification of the function of ad hoc committees, task forces and study groups is necessary.

The proposed amendment to the District Advisory Board ordinance is to clarify the role of ad hoc committees, task forces and study groups created by the District Advisory Boards. Such committees, task forces and groups may be created to advise and report only to a District Advisory Board on district area concerns and problems. District

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Advisory Boards may not organize Citywide committees, task forces or groups. The City Council is the only body with authority to create these groups.

Gary Rebenstorf Director of Law, responding to a question, said two abutting district Council Members could work together on dual issues.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried Pisciotte moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance of the City of Wichita, Kansas pertaining to District Advisory Boards; amending Section 2.61.030 of the Code of the City of Wichita; and repealing the original of said Section, introduced and under the rules laid over.

BACKYARD DRAINAGE BACKYARD DRAINAGE POLICY.

Steve Lackey Director of Public Works reviewed the Item.

Agenda Report No. 00-0602

City and County staffs have received many complaints from citizens concerning backyard drainage. The majority of complaints were in newer subdivisions where walkout and/or viewout basements are being built and backyard drainage is usually along the back lot line. As a result, the amount of slope away from the house is reduced. This problem is not an issue in older subdivisions with buried basements and where most of the water flows to the street. The Wichita Area Builders Association has actively participated with the City and County in investigating and resolving many of these complaints.

Research of backyard drainage systems indicates two conditions are primarily responsible for the problems. First, either the design of the rear yard swale slope was too flat or the original swale grade was altered to enable the construction of a certain type of home on a lot. Second, new homeowners obstruct the drainage by building fences, landscaping yards, or installing outbuildings. While City actions to control what a homeowner does after a home is purchased are limited, policies can be adopted to ensure that the drainage is correct at the time a new home is ready for occupancy.

The proposed Policy is a product of City and County staffs and the Wichita Area Builders Association. The Policy requires developers submit a more detailed Master Drainage Plan at the time of final plat submittal. Once approved, the Plan would be recorded with the Sedgwick County Register of Deeds. The developers will have to stipulate the type of home to be built on each lot, consistent with available grades. The individual home site plans, when submitted to the City or County for permits, will have to be consistent with the subdivision's master drainage plan. Final grade verification will be made at the time of final inspection prior to occupancy.

It is the City's opinion that existing Ordinances and the MAPC Subdivision Regulations are sufficient to allow for the implementation of the Policy. The MAPC reviewed the Policy on April 27, 2000 and voted 13-0 to recommend adoption by the City Council and Sedgwick County Commission.

The Policy will be implemented within two months from final City Council and County Commission approval.

No additional City financial resources are required to implement the Policy.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried Pisciotte moved that the policy be adopted. Motion carried 7 to 0.

CITY COUNCIL AGENDA

APPOINTMENTS

APPOINTMENTS:

No appointments were made.

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CONSENT AGENDA

Knight moved that the Consent Agenda, including Addendum 8a, except Items 15a and 23, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED JUNE 19, 2000.

Bids were opened June 16, 2000, pursuant to advertisements published on:

Water distribution system to serve Legacy Park Wilson Estates - south of 21st Street North, west of Webb. (448-89469/734966/470636) Does not affect existing traffic. City Council approval date: 05/16/2000. (District II)

Nowak Construction – \$43,412.00

Storm Water Drain 153 to serve West Ridge Estates - south of 29th Street North, east of 119th Street West. (468-83104/751288/485179) Does not affect existing traffic. City Council approval date: 05/02/2000. (District V)

Nowak Construction - \$432,475.00

Storm Water Sewer 532 to serve Regency Park Addition - north of K-96, west of Greenwich Road. (468-83065/751286/485177) Does not affect existing traffic. City Council approval date: 02/15/2000. (District II)

Nowak Construction - \$254,086.00

Paving Webb Road Accel/Decel Lane and Left Turn Lane from a point 80 feet north of the south lot line of Lot 3, Block 1, to a point 300 feet south of Wilson Estates Parkway to serve Legacy Park Wilson Estates - south of 21st Street North, west of Webb. (472-83232/765633/490744) Traffic shall be maintained through construction. City Council approval date: 05/16/2000. (District II); AND Wilson Estates Parkway from the east line of Reserves "S" and "V" of Wilson Farms Addition over to Webb Road, and; Sidewalk along Wilson Estates Parkway from the east line of Reserve "S" to the west line of Webb Road to serve Legacy Park Wilson Estates - south of 21st Street North, west of Webb. (472-83175/765634/490745) Traffic shall be maintained through construction. City Council approval date: 05/16/2000. (District II)

Central Paving - \$320,942.67 (Total aggregate bid)

Paving Shefford from the north line of Lot 1, Block 3, south to the east line of Aberdeen Third Addition; Shefford Circle, adjacent to Lots 43 to 50, and Lots 52 to 59, Block 3; Shefford Court to serve the following lots: Lots 7 to 15, Block 3, Lots 16 to 25, Block 3; Lots 30 to 36, Block 3; Lots 3 to 14, Block 4; Lots 16 to 29, Block 5, and Lots 34 to 40, Block 5; Neville from the east line of Shefford to the east line of said Addition; and Neville Court adjacent to Lots 1 to 10, Block 5 to serve Aberdeen Third Addition - north of 21st Street North, east of 119th Street West. (472-83125/765626/490737) Does not affect existing traffic. City Council approval date: 05/02/2000. (District V)

Ritchie Paving - \$891,461.44

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Joint and Crack Seal. (130849)

Deery American Corp. - \$.1919 (Cost per pound)

Knight moved that the contract be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

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CMB LICENSES

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Mark T Ryan	Ryan Boys, Inc.*	300 South Greenwich Road #21
Richard A. Diamond	Ty's Diner Inc.*	928 West Second
Yong C. Chon	Manna Wok Restaurant*	4865 East Harry

(Addendum No. 8a)

<u>Renewal</u>	<u>2000</u>	<u>(Consumption off Premises)</u>
Steven W. Smith	Vista Stores #2015	13330 West Central #140
Steven W. Smith	Vista Stores #2017	7115 West 13th Street North
Steven W. Smith	Vista Stores #2022	1131 East 47th Street South

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

Motion -- carried

Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

PLANS AND SPECS.

SUBDIVISION PLANS AND SPECIFICATIONS.

There were no sub-division plans and specifications submitted.

PRELIMINARY EST.

PRELIMINARY ESTIMATES:

- a) Water distribution system to serve West Ridge Estates - south of 29th Street North, east of 119th Street West. (448-89471/734964/470634) Does not affect existing traffic. City Council approval date: 05/02/2000. (District V) - \$138,000
- b) Brentwood from the north line of Clark to the south line of Mt. Vernon to serve Mayberry and Mt. Vernon Heights Additions and Unplatted Tracts - south of Mt. Vernon, west of Oliver. (472-83100/765595/490706) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 01/20/2000. (District III) - \$61,600
- c) Central/McLean/Meridian Intersection Reconstruction - Central & Meridian. (472-82910/706801/208256) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 06/23/1998. (District VI) - \$1,129,971

Motion -- carried

Knight moved that the Preliminary Estimates be approved and filed. Motion carried 7 to 0.

DEEDS/EASEMENTS

DEEDS AND EASEMENTS:

- a) Easement dated May 15, 2000, from Norris Properties, LLC for a tract of land in Lot 1, Block 1, Kuhlman Addition, Sedgwick County, Kansas (Private Project - OCA #607861). No cost to City.
- b) Easement dated May 11, 2000, from Craig Stuart Homes, Inc. for a tract of land in Lot 4, Block 1, Reflection Ridge 8th Addition to Wichita, Sedgwick County, Kansas (Private Project - OCA #607861). No cost to City.
- c) Drainage easement dated May 4, 2000, from Great Plains Ventures, Inc. for a tract of land in Lot 5, Block 3, Great Plains Business Park Second Addition to Wichita, Sedgwick County, Kansas (SWS 534 - OCA #751284). No cost to City.
- d) Drainage easement dated June 2, 2000, from Rob Ramseyer, Vice President of Ritchie Associates, Inc. - Manager of Regency Park of Wichita, LLC, for a tract of land in Lot 11, Block 1, Regency Park Addition, an addition to Wichita, Sedgwick County, Kansas (SWS 532 - OCA #751286). No cost to City.
- e) Sanitary sewer easement dated June 5, 2000, from Stan DeRee and Rebecca Varbel for a tract of land in Government Lot 4 in Sec. 9, Twp. 28S, R-1-E of the 6th P.M., Sedgwick County, Kansas (Lat. 88, M1, SWI - OCA #743793). No cost to City.

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- f) Sanitary sewer easement dated May 18, 2000, from Scott C. and Kristine N. Dellinger for a tract of land in Lot 7, Block B, Yale Heights Addition to Wichita, Sedgwick County, Kansas (13th & Yale - OCA #621458). No cost to City.
- g) Easement dated June 6, 2000, from TMP Twin Lakes, LLC for a tract of land in Lakeview Estates, an addition to Wichita, Sedgwick County, Kansas (48" Raw Water Line - OCA #633712). No cost to City.
- h) Sanitary sewer easements dated May 8, 2000, from the Board of Park Commissioners for a tract of land in the SE 1/4 of Sec. 36, Twp. 27S, R-1-E of the 6th P.M., Sedgwick County, Kansas (War Industries Phase III Relief Sewer - OCA #623306). No cost to City.
- i) Sanitary sewer easement from the City of Wichita, Kansas, a Municipal Corporation for a tract of land in Roman Numeral II in Block J, McAdam Acres Second, and Addition to Wichita, Sedgwick County, Kansas (War Industries Phase III Relief Sewer - OCA #623306). No cost to City.

Motion -- carried Knight moved that the documents be received and filed. Motion carried 7 to 0

STATEMENT OF COST STATEMENT OF COST:

- a) (First Partial) Estimate of Cost for improving Auburn Hills Golf Course - \$7,255,000; less financing previously issued - \$0. Financing to be issued at this time - \$7,255,000. (696047/516-005)

Motion -- carried Knight moved that the Statement of Cost be approved and filed. Motion carried 7 to 0.

STREET CLOSURES STREET CLOSURE: TYLER ROAD BETWEEN PAWNEE AND 31ST STREET SOUTH. (District V)

Agenda Report No. 00-0619.

Ritchie Paving has contracted to accomplish the reconstruction of Tyler Road in an area between Pawnee and 31st Street South. The Contractor is required to mill approximately 3 inches of the two-lane roadway, stabilize the subgrade, install a 3 inch asphalt base course and then install a 2 inch asphalt surface over the travel lanes and shoulders. The Contractor is requesting an approximate 11-day Closure of northbound Tyler Road in the project area from June 20 through June 30, 2000.

Because the existing structure of the pavement shoulders is minimal in the project area there is a concern that the pavement may not withstand the pressures and wear of daily traffic. When this concern is combined with areas of minimal width, the idea of safely carrying two-way traffic during the reconstruction was determined to not be possible. After some discussion with area businesses it was determined that the Contractor would be required to maintain southbound Tyler Road traffic and detour northbound traffic to Maize Road. Message boards advising the public of the Closure of northbound traffic have been in place since June 14, 2000.

During the Closure northbound Tyler Road will be detoured using 31st Street, Maize Road, and Kellogg/US 54. Southbound Tyler Road access to and from Yosemite Street will be maintained during the reconstruction.

The Contractor is responsible for the construction barricades, detour signs and notification of affected businesses and residents.

Motion -- carried Knight moved that the street closure be approved. Motion carried 7 to 0.

CLAIMS RESOLVED REPORT ON CLAIMS ALLOWED - 2000:

<u>Name of Claimant</u>	<u>Amount</u>
Jon Chapman	\$ 190.48
Dale Bradley/Textile Supply Co.	\$1,297.16*
SW Bell	\$ 687.98
Mary Ann Kwapil	\$ 119.22
Alex J. Wall	\$ 843.99
Michelle Turner	\$ 739.82

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Salena M. Metcalf	\$ 44.95
Stanley Ford	\$ 265.10
Hertz Corp.	\$3,544.36
Nola E. Beham	\$ 224.23
Connie Endres	\$ 644.30
LuAnn M. Hershorn	\$ 87.00
John Faroh	\$ 395.00

*Referred to Cornejo; Cornejo refused payment; payment to claimant withheld from payment to Cornejo. City paid \$167.47.

Motion -- carried

Knight moved that the Report be received and filed. Motion carried 7 to 0.

(Item No.15a)

LEGAL SERVICES.

AMENDMENT TO CONTRACT FOR LEGAL SERVICES.

This Item was withdrawn from the Agenda.

MMRS

METROPOLITAN MEDICAL RESPONSE SYSTEM CONTRACT.

Agenda Report No. 00-0604.

The US Department of Health and Human Services (HHS) has invited the City to submit a proposal for development of a Metropolitan Medical Response System (MMRS) to create an enhanced ability to deal with the health and medical consequences of a nuclear, biological, or chemical terrorist incident. Wichita is among twenty-three cities included in the third tier of federally supported MMRS planning. The contract proposal is non-competitive; HHS has set aside funding specifically for Wichita's program. The list of contract components represents elements required by the HHS request for proposals.

Local health, fire, law enforcement, emergency medical, and emergency preparedness agencies have long been involved in responding to natural disasters and hazardous materials incidents. In recent years the possibility of terrorist use of weapons of mass destruction (WMD) has resulted in the need for expanded local response capabilities.

The potential for attacks involving biological agents requires response capabilities in excess of those necessary for chemical exposures or physical damage subsequent to a natural disaster. A comprehensive health surveillance network is necessary to provide early indication of biological incidents to mitigate secondary spread, and biological attacks place substantially different demands on local health care facilities. Contingency planning for such events requires enhanced coordination of public and private sector entities involved, training specific to the risks presented, and acquisition of additional equipment and supplies necessary for an appropriate response. In addition to mitigating the effect of potential terrorist activity, the MMRS project holds the possibility for substantial collateral benefits. Enhanced health surveillance involving the Health Department, local hospitals and clinics, and other institutions will allow early identification of infectious disease trends and provide for more timely interventions. Improved capabilities in the emergency response sector will allow more effective handling of natural disasters or accidental occurrences.

Preliminary discussions concerning the project have included representatives from the local and state health departments, all five local hospitals, local emergency medical service staff and local emergency preparedness agency personnel. Representatives from all sectors agree that enhanced planning and response capabilities are necessary, and have committed to participation in the MMRS development process. Additional stakeholders will be identified and included in the planning process.

HHS has allocated \$ 400,000 in the current federal fiscal year for the contract, with an option for \$ 200,000 in additional funding for federal FY2002, subject to the availability of funds. MMRS development efforts will be funded entirely by the contract, including the Health Department's indirect costs and administrative fees.

Upon approval by HHS, the contract document will be submitted to the Department of Law for approval prior to execution.

Motion --

Knight moved that the Health Department's application for the contract be approved and the Director of Community Health be authorized to sign the contract, subject to approval by the Department of Law. Motion carried 7 to 0.

-- carried

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FLEET MAINTENANCE CONTRACT FOR FLEET MAINTENANCE OPERATIONS REVIEW.

Agenda Report No. 00-0605.

The City of Wichita Fleet and Buildings Division of Public Works is responsible for the operation and maintenance of nearly 1,800 automobiles, light trucks, heavy trucks, and heavy equipment used by nearly all City departments. A Request for Proposal (RFP) was developed to contract services to evaluate the fleet operation and performance as well as provide recommendations for changes in service delivery, operational efficiency, and cost effectiveness of the fleet maintenance operation. The RFP was sent to 14 vendors, of which four (4) responded.

A committee consisting of representatives from City Manager's Office, Public Works, Water, Transit and Finance reviewed the proposals. DMG Maximus was selected based upon their demonstrated knowledge of fleet maintenance operations at least as large as the City's, current maintenance practices and technologies, proven expertise to prepare a written evaluation, references, and cost.

Funds are available in the Fleet and Buildings Internal Service Fund.

City Council must approve contracts and budget transfers in excess of \$10,000.

Motion --
-- carried

Knight moved that the contract with DMG Maximus, in an amount not to exceed \$75,000, and the budget transfers be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

EMERGENCY SHELTER GRANT APPLICATION FOR KANSAS EMERGENCY SHELTER GRANT FUNDS.

Agenda Report No. 00-0606.

The State of Kansas receives Emergency Shelter Grant funds under the Stewart B. McKinney Homeless Assistance Act. These funds are in turn awarded to local units of government on behalf of homeless service providers throughout the state.

The Kansas Department of Commerce and Housing issued a Notice of Funding Available (NOFA) for the 1999 Kansas Emergency Shelter Grant Program (KESGP). Private non-profit agencies are eligible to receive the funds, however the application must be submitted by the local governmental entity. Several agencies have submitted requests to the City for the KESGP funding.

The KESGP funding is competitive on a statewide basis. The projects included in this application will be evaluated against all projects submitted by other city and county governments throughout the state.

The grant application includes funds for the following agencies and activities:

Catholic Charities Anthony Family Shelter and Emergency Services - Funds are requested for operating and maintenance costs of \$8,602.

Catholic Charities Harbor House - Funds are requested for operating and maintenance costs of \$6,000.

Interfaith Inn - Funds are requested for continuation of the renovation (\$25,000), Operations (11,550), and Essential Services for supportive service personnel such as case managers (\$37,000).

IFM Safe Haven - Funds are requested for continuation of the renovation (\$20,000), Operations (18,700), and Essential Services for supportive service personnel such as case managers (\$10,000).

Salvation Army Emergency Lodge - Funding is requested for \$4,725 for operating costs of the emergency shelter.

YWCA Women's Crisis Center - Funds are requested for operation of the shelter (\$2,500) and essential services such as transportation of residents (2,100).

City of Wichita - The City is allowed 2.5% for administration. The requested amount is \$3,748.

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The amount of the requests is \$149,925. Each of the agencies has committed to providing the required matching funds. A total of \$849,000 is available for the State of Kansas.

Motion --
-- carried

Knight moved that the application and grant award be approved upon receipt; and the necessary signatures be authorized. Motion carried 7 to 0.

DRUG ELIMINATION

PUBLIC HOUSING DRUG ELIMINATION GRANT.

Agenda Report No. 00-0607.

The Quality Housing and Work Responsibility Act of 1998, otherwise known as the 1998 Housing Reform Act, included amendments to the Anti-Drug Abuse Act of 1988, which allowed HUD to change the Public Housing Drug Elimination Program from a competitive application process to a formula allocation based on the size of the public housing program.

Prior to this change, housing authorities that had high concentrations of housing stock in large developments were at an advantage in applying for these funds. Other 1998 changes in the law allows activities "in and around," rather than "on the premises of" public housing, and allowed the funds to be used to fight violent crime as well as drug-related crime. These changes make the PHDEP available to and usable by the Wichita Housing Authority.

HUD has issued a Notice Of Funding Available (NOFA) making 127,126 available for the Wichita Housing Authority upon submittal of an acceptable application.

Staff has prepared an application in accordance with the NOFA. The activities included in the application focus on preventive activities for youth; programs aimed at families, which will increase the overall family functioning, thus working to prevent substance abuse and crime; supportive services such as child care, transportation, etc., to enable public housing residents to access existing substance abuse treatment programs and services; and a gun buy-back program to remove guns from public housing neighborhoods. The gun buy-back program would be implemented by the Police Department.

The regulations require that any subgrantees be identified in the application. In anticipation of this application, the Housing Services Department issued an RFP for youth programs that would provide drug intervention/prevention programs in and around public housing. A review panel consisting of city staff from the Housing Department, Park Department, and representatives from Sedgwick County and the United Way evaluated the proposals and selected Big Brothers Big Sisters to receive a contract in the amount of \$85,950 to provide 200 youth ages 6 through 18 in public housing areas one-to-one matches and/or additional multi programmatic leadership development activities in collaboration with other community agencies.

The application has been submitted to the Board of Housing Commissioners for review at their June 15 meeting.

The amount of the application is \$127,166. No local funding will be committed.

Motion --
-- carried

Knight moved that the application and grant award be approved; the Contract with Big Brothers Big Sisters be authorized; and the necessary signatures be authorized. Motion carried 7 to 0.

DONATION TO CITY

DONATION OF LAND TO THE CITY.

Agenda Report No. 00-0608.

KGE has relocated its electrical equipment from the site east of McLean north of Exploration Place. This site was incorporated in the replat for Exploration Place as Lot 2, Block 1, Exploration Place Addition. The parcel is irregularly shaped and contains approximately 16,734 square feet. The parcel has been cleared and is now a landscaping berm. The site is zoned LI, limited industrial. The parcel will be used for future expansion of Exploration Place. The city owns the remainder of Exploration Addition.

KGE is donating the tract to the City. This would bring all of Exploration Place Addition under City ownership. The tract will be used for future Exploration Place expansion.

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KGE will deed the property to the City at no cost. Upon signing this property will be exempted and removed from the tax rolls.

Motion --
-- carried

Knight moved that the donation and documents be approved and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 11052 HIDDEN LAKE FOR THE COWSKIN AND CALFSKIN BASIN PROPERTY ACQUISITION PROJECT. (District V)

Agenda Report No. 00-0609.

In October 1998, flooding occurred along the Cowskin and Calfskin Creeks in west Wichita. As a result of this event, the City presented a proposed voluntary property acquisition program FEMA. FEMA approved the program on March 15, 2000. The program calls for the acquisition of up to 21 properties that are either located in the floodway or suffered more than 50% damage in the 1998 floods. One such property is 11052 Hidden Lake, which is owned by the Douglas and Pamela Henry. The site contains 22,000 square feet and is improved with a 2,589 square foot brick residence.

An offer of \$111,095, based on 85% of the pre-flood value of the property was extended to the owners. The owners have agreed to sell the property for this amount. Under the terms of the FEMA program, all improvements must be removed and future use of the site is restricted to open space.

The FEMA program provides funds for the purchase price and 85% of closing costs and demolition costs not covered by insurance. Any costs not funded by FEMA will be paid from the Property Management Special Revenue fund contingency. A budget of \$118,345 is requested. This includes \$111,095 for the acquisition, \$6,500 for demolition and \$750 for closing costs and title insurance. FEMA's participation will be used to offset this amount when received.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 11301 VALLEY HI FOR THE COWSKIN AND CALFSKIN BASIN PROPERTY ACQUISITION PROJECT. (District V)

Agenda Report No. 00-0610.

In October 1998, flooding occurred along the Cowskin and Calfskin Creeks in west Wichita. As a result of this event, the City presented a proposed voluntary property acquisition program FEMA. FEMA approved the program on March 15, 2000. The program calls for the acquisition of up to 21 properties that are either located in the floodway or suffered more than 50% damage in the 1998 floods. One such property is 11301 Valley Hi, which is owned by the Kevin and Shannon Lager. The site contains 28,000 square feet and is improved with a 2,530 square foot brick residence.

An offer of \$119,850, based on 85% of the pre-flood value of the property was extended to the owners. The owners have agreed to sell the property for this amount. Under the terms of the FEMA program, all improvements must be removed and future use of the site is restricted to open space.

The FEMA program provides funds for the purchase price and 85% of closing costs and demolition costs not covered by insurance. Any costs not funded by FEMA will be paid from the Property Management Special Revenue fund contingency. A budget of \$127,100 is requested. This includes \$119,850 for the acquisition, \$6,500 for demolition and \$750 for closing costs and title insurance. FEMA's participation will be used to offset this amount when received.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

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CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Agenda Report No. 00-0611.

On June 5, 2000 the Board of Code Standards (BCSA) held a hearing on the following six (6) properties. These properties are considered dangerous and unsafe structures, and are being presented to schedule a condemnation hearing before the Governing Body.

Improvement notices have been issued on these structures, however, compliance has not been achieved. Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove these properties.

<u>Address</u>	<u>District</u>
1) 2506 North Market (Commercial)	VI
2) 939 North Ohio	I
3) 1027 North Green	I
4) 548 South Kessler	VI
5) 1615 South Hydraulic	III
6) 4072 East Cessna	III

These structures have defects that under Ordinance No. 28-251 of the Code of the City of Wichita, shall cause them to be deemed as dangerous and unsafe buildings, as required by State Statute for condemnation consideration.

Motion --
-- carried

Knight moved that the Resolutions placing this matter on the agenda for a Hearing before the Governing body on August 1, 2000, at 11:00 a.m. be approved. Motion carried 7 to 0.

RESOLUTION NO. R-00-249

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 42, 44 and 48 on Market Street, Garland Brook Addition, to the City of Wichita, Sedgwick County, Kansas, known as 2506 North Market (Commercial), in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-250

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 13-15, Ohio Avenue, Moore's Addition, Wichita, Sedgwick County, Kansas, known as 939 North Ohio in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-251

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 20 and 22, Block 2, Esterbrook Park Addition, Sedgwick County, Kansas, known as 1027 North Green, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-252

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 7 and 8, Block 4, in Eureka Gardens, Sedgwick County, Kansas, known as 548 South Kessler, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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RESOLUTION NO. R-00-253

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 14 and 16 Hydraulic Avenue, Gardner's Subdivision of Block 1, Schweiters Second Addition to Wichita, and a portion of the alley vacated by Ordinance No. 9438, dated January 3, 1927 and described as: beginning at the northeast corner of Lot 14, on South Hydraulic Avenue, in Gardner's Subdivision of Block 1, Schweiter's Second Addition, thence west 140 feet; thence north five feet; thence east 140 feet; thence south five feet to the point of beginning, Sedgwick County, Kansas, known as 1615 South Hydraulic (garage), in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-254

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lot Number 8, Block D, in Planeview Subdivision #1 in Section 2., Township 28 South Range 1 east of the 6th Principal, Meridian, Sedgwick County, Kansas, known as 4072 East Cessna, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

INFO. OFFICER

DESIGNATION OF LOCAL FREEDOM OF INFORMATION OFFICER.

Agenda Report No. 00-0612.

The City of Wichita has a tradition of open local government and the Kansas Open Records Act (K.S.A. 45-215 et seq.) is complementary to that spirit of openness. Since 1984, the City Manager has designated the City Clerk as the official records custodian of the City under the Kansas Open Records Act. Administrative Regulation 70 establishes the procedures for City official and employees to provide for public access to records of the City consistent with the requirements of the Act. Each Department has designated records custodians to facilitate that public access.

The 2000 Legislature amended the Kansas Open Records Act by 2000 H.B. 2864, effective July 1, 2000. These changes require Council action to designate a local freedom of information officer and necessitate changes to AR 70.

The resolution reflects official Council action to designate the City Clerk, currently Pat Burnett, as the local freedom of information officer (LFIO) of the City.

AR 70 has been revised to update the procedures to be followed by City officers and employees in granting access to records. The statutory duties of the LFIO are supplementary to the existing duties of the "records custodian" and include the following:

1. Prepare and provide educational materials and information concerning the open records act;
2. Assist City officials and members of the general public in resolving disputes relating to the open records act;
3. Respond to inquiries relating to the open records act;
4. Prepare a brochure and other information about the Act, the rights of a requestor, the responsibilities of the City, and the procedures for inspecting and obtaining a copy of public records.

A draft of the brochure prepared by the City Clerk is included. The LFIO and the departmental records custodian are required to display and distribute this brochure to the public at appropriate offices in the City.

Information sessions and training is currently underway for management staff and records custodians. These sessions provide and information on the changes to the law enacted this year as well as a refresher on the requirements of the Act

The brochure is consistent with the requirements of the Kansas Open Records Act.

Motion --
-- carried

Knight moved that the documents be received and filed; and the Resolution be adopted. Motion carried 7 to 0.

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RESOLUTION NO. R-00-258

A Resolution of the governing body of the City of Wichita designating a Local Freedom of Information Officer Pursuant to the Kansas Open Records Act, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

GO BOND/NOTE SALE GENERAL OBLIGATION TEMPORARY NOTE SALE - SERIES 201; AND GENERAL OBLIGATION BOND SALE - SERIES 760, SERIES 761, AND SERIES 763.

Agenda Report No. 00-0613.

The City is planning to offer for sale one series of general obligation temporary notes totaling \$18,400,000, and three series of general obligation bonds totaling \$32,615,000 for the purpose of providing temporary and permanent financing for capital improvement projects of the City. The public sale of the bonds and notes is scheduled for 10:30 a.m. on July 18, 2000, at which time sealed bids will be opened and the City Council will award the sale of each series of bonds and notes to the bidders whose proposed interest rates result in the lowest overall cost to the City.

The City's Summer 2000 general obligation bond and note sale includes the following issues:

Temporary Notes

The proceeds from the sale of the Series 201 Temporary Improvement and Renewal Notes will be used to provide interim financing for the following various categories of City-at-large and improvement district projects:

Series 201

<u>Project Category</u>	<u>Total</u>
Arterial Paving	\$3,540,000
Traffic Engineering	145,000
Bridges	400,000
Public Improvements	2,150,000
Park	799,400
Neighborhood Improvements – Water	2,359,400
Neighborhood Improvements - Sewer	1,390,000
Neighborhood Improvements - Storm Sewer	625,000
Neighborhood Improvements – Paving	<u>6,991,200</u>
TOTAL SERIES 201 NOTES	\$18,400,000

“Special Assessment Bonds”

The proceeds from the sale of the Series 760 Bonds will be used to permanently finance various neighborhood improvements located in special improvement districts. Special assessments have been levied against the property owners in the improvement districts for the purpose of paying all or a portion of the costs of such improvements, including the payment of principal and interest on Series 760 Bonds. The Special Assessment Bonds will be issued in the par amount of \$17,050,000.

“City-At-Large Bonds”

The proceeds from the sale of Series 761 Bonds will be used to permanently finance certain City-at-large projects, including arterial streets, traffic engineering improvements, bridges, public improvements and buildings, park improvements, transit coaches and neighborhood paving projects. The City-at-large Bonds will be issued in the total par amount of \$8,310,000.

“Golf Fund Bonds”

The proceeds from the sale of the Series 763, herein referred to as the “Golf Fund Bonds” will be used to finance public improvements associated with the Auburn Hills Golf Course. Revenues collected through the operation of the golf course will be used to pay the debt service requirements.

The Series 201 Temporary Notes will mature on February 22, 2001 and will be retired using the proceeds of both permanent financing bonds and renewal notes.

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The Series 760 Special Assessment Bonds will mature serially over 15 years with principal maturities structured to produce level annual payments of principal and interest. The Series 760 Bonds are payable from the collection of special assessments levied against benefited properties, and if not so paid, from city-wide ad valorem taxes. The Special Assessment bonds will be callable in 2007 with a 1% call premium.

Series 761 City-at-large bonds will mature serially over 10 years in equal principal amounts and will be paid as to principal and interest primarily from city-wide ad valorem tax revenues. The City-at-large bonds will be callable in 2005 with a 1% call premium.

The Series 763 Golf Fund Bonds will mature serially over 15 years with principal maturities structured to produce level annual payments of principal and interest. The Series 763 Bonds are payable from the collection of golf fees. The Golf Fund Bonds will be callable in 2007 with a 1% call premium.

A Resolution authorizing the sale of the series of temporary notes and the series of bonds, approving the Preliminary Official Statement and directing the publication and distribution of Notices of Bond and Note Sale, has been prepared by the City's Bond Council as required by law.

Motion --
-- carried

Knight moved that the Resolution establishing the sale be adopted and publication of the notices be approved.
Motion carried 7 to 0.

RESOLUTION NO. R-00-255

A Resolution authorizing the sale of the series of temporary notes and the series of bonds, approving the Preliminary Official Statement, and directing the publication and distribution of Notices of Bond and Note Sale, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

(Item No. 23)
TELEPHONE

RESOLUTION IN SUPPORT OF MAINTAINING THE 316 AREA CODE.

This Item was withdrawn from the Agenda.

STREET PROJECTS

AMENDING ORDINANCES: PAWNEE (MAIZE TO YELLOWSTONE), MAIZE (CENTRAL TO 13TH), AND 21ST STREET (MAIZE INTERSECTION). (District V)

Agenda Report No. 00-0615.

Statements of Cost have been prepared to close out three street improvement projects: Pawnee, between Maize and Yellowstone; Maize, between Central and 13th; and the 21st/Maize Intersection. It is expected that actual expenses will exceed the spending authority set by the Adopted Ordinances.

Amending Ordinances have been prepared to increase project budgets.

The total budget increase for the three projects is \$38,000. The original budgets totaled \$2,375,000. Funding is available from lower-than-projected construction costs on the Maize Road improvement between 13th and 21st Street. The funding source is General Obligation Bonds.

Motion -- carried

Knight moved that the Ordinances be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance amending Ordinance No. 43-010 of the City of Wichita, Kansas, declaring Pawnee, from Maize to Yellowstone (472-82678) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

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ORDINANCE

An Ordinance amending Ordinance No. 42-266 of the City of Wichita, Kansas, declaring Maize Road, from Central to 13th Street (472-82415) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

ORDINANCE

An Ordinance amending Ordinance No. 43-519 of the City of Wichita, Kansas, declaring 21st Street and Maize Road to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

ORDINANCE

SECOND READING ORDINANCE: (FIRST READ JUNE 13, 2000)

a) A 00-03 – Annexation – west of Webb Road and south of 45th Street North. (District II)

ORDINANCE NO. 44-665

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A 00-03

PLANNING AGENDA

Marvin Krout Director of Planning stated that Items 27 and 28 could be considered as consensus Items unless the Council desired to withhold other items.

Motion – carried Knight moved that Planning Agenda Items 27 and 28 be approved as consensus Items. Motion carried 7 to 0.

(Item No. 26)

**ZON2000-00016 &
CON2000-00014**

ZON2000-00016 – ZONE CHANGE FROM “B” MULTI-FAMILY RESIDENTIAL TO GO” GENERAL OFFICE; AND CON2000-00014 – CONDITIONAL USE PERMIT TO ALLOW ANIMAL CARE LIMIT (SMALL ANIMAL CLINIC), GENERALLY LOCATED SOUTH OF CENTRAL, EAST OF STRATFORD DRIVE – 7015 EAST CENTRAL. (District II)

Agenda Report No. 00-0616.

MAPC Recommendation: Approve, subject to conditions.

Staff Recommendation: Approve, subject to conditions and the additional provisions of a Protective Overlay (6-4)

The applicant is seeking a zone change from the “B”, Multiple-family Residential district to the “GO”, General Office district, and a Conditional Use Permit for “animal care, limited” (small animal clinic) on property located south of Central, east of Stratford Drive (extended) (7015 E. Central). The property is currently developed with an office building containing space for four tenants, two of which are currently occupied. The applicant indicates all services and kennel spaces would be located indoors.

Surrounding land uses are: single family residential (“SF-6”, Single family Residential) north of Central; multi-family residential (“B”, Multi-family Residential) on the east and south; and a synagogue (“SF-6”, Single family Residential) on the west. Access to the site is via two access points located on Central. Screening fencing currently exists along the south, east and west side of the property.

The “Unified Zoning Code” allows “animal care, limited” in the “GO” district if “no noise or odor is discernable at the property line, all animals shall be harbored indoors and treatment of animals shall be limited to dogs, cats and other small animals.”

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On May 25, 2000, the MAPC heard this case. Four adjoining property owners spoke in opposition. They cited potential decrease in property value and the enjoyment of their property caused by the additional uses which the "GO" district would permit, potential increase in noise and odor and difficulty of gaining the applicant's cooperation in addressing fence maintenance issues. They also indicated this was the third time they have had to protest a more intensive zoning request on this property. In their opinion, the current zoning is appropriate. Approval of "GO" zoning would introduce more intense uses in a residential setting.

MAPC recommended approval of the request, subject to:

1. Protective Overlay No. 73 which restricts uses to those permitted in the existing "B" Multi-family district, plus animal care, limited and general office uses as described in the "office, general" definition contained in the Unified Zoning Code.
2. The site shall be developed and utilized in general conformance with the site plan submitted with this request.
3. Any violation of the conditions of approval shall render the conditional use permit null and void.

Motion --

Pisciotta moved that having reviewed the recommendation of the MAPC, this Item be denied based on the following facts:

- 1) The property in question is zoned "B" Multifamily, a residential category. Although medical office uses are permitted in this district, they have been recognized as one of a limited number of non-residential uses that have been allowed as exceptions in this district for decades in the City's zoning code. All of the land for more than ¼ mile in all directions is zoned in even more restrictive residential categories, and with the exception of the temple to the west, is developed with residential uses. Approving any kind of commercial zoning district, even the proposed General Office district, would be out of character with the pattern established in this area and could be used as justification for additional rezoning changes on this property or other properties in the vicinity.
- 2) The applicant has not demonstrated that the property is unsuited for the uses that are permitted by the present zoning category. This building has been well-occupied for years for medical office uses. Other uses, such as residential uses and private clubs, are also permitted under the current zoning.
- 3) The Land Use Guide of the Comprehensive Plan depicts this tract and the adjacent apartments as appropriate for "high density residential" use, surrounded by lower density residential use. This appears to recognize the intent to limit the uses permitted on this property rather than expand it to allow additional commercial uses.
- 4) Significant neighborhood opposition has been registered with regard to this zoning change, as documented in the minutes of the MAPC hearing, and through written protests filed by 12 property owners representing 57.7 percent of the land surround and within 200 feet of the property. Similar neighborhood opposition led to the denial or withdrawal of previous rezoning requests for this property in 1984 and 1986.

-- carried

Motion carried 7 to 0.

A 00-07

A 00-07 – REQUEST FOR ANNEXATION OF PROPERTY GENERALLY LOCATED ONE-HALF MILE NORTH OF CENTRAL AVENUE, EAST OF GREENWICH ROAD. (District II)

Agenda Report No. 00-0617.

The City has received a request to annex a 37.1 acre area situated ¼ mile north of Central Avenue, east of Greenwich. The northern and southern boundaries of the site abut the current City limits. The property owner is planning to develop the property with 110 single-family dwellings and 20 two-family dwellings. The staging of development has been planned over multiple years, with 60% of development projected to occur within 10 years. On May 11, 2000, the Metropolitan Area Planning Commission approved a final plat of the Killenwood Pointe Addition, which is part of the site.

Land Use and Zoning: The annexation site consists of one tract of undeveloped tract of land, zoned "SF-20" Single Family Residential which will convert to "SF-6" Single Family Residential. Land to the north, east, and west of the site is zoned "SF-6" Single Family Residential. Land directly south of the site is zoned "SF-6" Single Family Residential, with "LC" Limited Commercial zoning at the corners of the intersection of Central Avenue and K-96 Highway and at the corners of the intersection of Central Avenue and Greenwich Avenue.

Public Services: The City Water and Sewer Department indicates that the property proposed for annexation will likely connect to existing 8-inch lines that serve the development west of the subject area, which currently has access to a 16 inch water main that runs along the Greenwich Road right-of-way, between Central Avenue and 13th Street North. As for sewer, the property proposed for annexation will be served by the Four-Mile Creek Sewer District.

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Street System: The property proposed for annexation has direct access to Greenwich Road, a four-lane improved section line road, which serves the area as the nearest major north-south road, and Central Avenue, which serves the area as the nearest major east-west road. Currently, there are no plans to further improve that portion of Greenwich Road or that portion of Central Avenue in the City of Wichita 2000-2009 C.I.P. or the 2000-2004 Sedgwick County C.I.P.

Public Safety: The Wichita Fire Department can serve this site within a seven (7) to nine (9) minute approximate response time from City Station #18 located at 2808 N. Webb Road. The Sedgwick County Fire Department can serve this site within an eight (8) to ten (10) minute approximate response time from County Station #38 located at 1010 N. 143rd Street E. Upon annexation, police protection will be provided to the area by the Patrol East Bureau of the Wichita Police Department, headquartered at 350 S. Edgemoor.

Parks: Eastview Park, a 20 acre community park, is located approximately three (3) miles northwest of the property proposed for annexation. The park may be accessed through entrances located off 13th Street North. Also, W.B. Harrison Park, a 40.15 acre community park, is located approximately three (3) miles south and west of the property proposed for annexation. The Wichita-Sedgwick County Parks and Open Space Master Plan: Parks and Pathways indicates potential future park sites near the northeast corner of 127th Street E and Harry and at the southeast corner of 13th Street N and 143rd Street E. There are no existing neighborhood parks in the vicinity of the subject property.

School District: The property is located in Unified School District 259 (Wichita School District). Annexation will not change the school district.

Urban Growth Area & Policy 32: The property is located within the current Policy 32 urban service area as well as the 2010 and 2030 urban service area boundaries, as depicted in the 1999 Update to the Comprehensive Plan, recently adopted by the Metropolitan Area Planning Commission on March 16, 2000.

The property proposed for annexation is currently vacant, although the assessed value is \$1,632. The future assessed value of this property will depend on the timing of development, the type of development and the current mill levy. However, the applicant projects an overall assessed value of \$18,500,000 when development is completed.

The property is eligible for annexation under K.S.A. 12-520.

Motion --
-- carried

Knight moved that the annexation request be approved and the annexation Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A 00-07

A 00-09

A 00-09 – REQUEST FOR ANNEXATION OF PROPERTY GENERALLY LOCATED SOUTH OF 21ST STREET NORTH, EAST OF 135TH STREET WEST. (District V)

Agenda Report No. 00-0618.

The City has received a request from the City Water and Sewer Department to annex a 4.8 acre area situated south of 21st Street North and east of 135th Street West. The site, located approximately ½ mile from the current city limits, was recently purchased by the City of Wichita for the purpose of constructing the Northwest Treatment Plant Pump Station. An unoccupied single-family residential home is presently situated on this property.

Land Use and Zoning: The annexation site consists of one (1) undeveloped contiguous tract of land zoned “SF-20” Single Family Residential. Land to the north, south, east and west of the site is zoned “SF-20” Single Family Residential. Upon annexation, the “SF-20” Single Family Residential zoning of the subject property will convert to “SF-6” Single Family Residential. Construction of the pump station will require a later filing and approval of a Conditional Use permit. Development of the pump station is expected to be completed within two (2) years.

Public Services: The City Water and Sewer Department indicates that the subject property will have access to sanitary sewer as part of its function. Most of the sewer lines will be in 21st Street North, adjacent to the site, and will connect to the station. The size of the lines is still under consideration, however the lines could be from 16” to 24”. As for water, a 12” water main exists in 21st Street North ending at Tealbrook. Also, the installation of 16”

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water mains, (in 135th Street West from 29th to 21st , and in 21st North from 135th to Tealbrook), are projected for completion within two (2) years.

Street System: The property proposed for annexation will have access to 21st Street North, a two-lane unimproved section line road, which serves the area as the nearest major east-west road. The site will also have access to 135th Street West, a two-lane unimproved section line road, which serves the area as the nearest major north-south road. Currently, there are no plans to further improve that portion of 21st Street North or that portion of 135th Street West in the City of Wichita 2000-2009 C.I.P. or the 2000-2004 Sedgwick County C.I.P.

Public Safety: The Wichita Fire Department can serve this site within an eight (8) to ten (10) minute approximate response time from City Station #16 located at 1632 N. Tyler Road. Upon annexation, police protection will be provided to the area by the Patrol West Bureau of the Wichita Police Department, headquartered at 661 N. Elder.

Parks: Sunset Park, a 19 acre neighborhood park, is located approximately three (3) miles east of the property proposed for annexation. The park may be accessed through entrances located at 17th and Keith Streets. Additionally, Swanson Park, a 93 acre special use park, is approximately three (3) miles southeast of the property proposed for annexation. The Wichita-Sedgwick County Parks and Open Space Master Plan: Parks and Pathways indicates plans for two (2) future parks near the area proposed for annexation, one near the intersection of 21st Street North and 135th Street West and the other near Maize Road and 29th Street North.

School District: The property is located in Unified School District 266 (Maize School District). Annexation will not change the school district.

Urban Growth Area & Policy 32: The property is located outside of the urban growth area of the City of Wichita as shown in the 1996 update to the Wichita-Sedgwick County Comprehensive Plan. Although the property is located outside of the current Policy 32 urban service area, the property is located within the 2010 urban service area, as depicted in the 1999 Update to the Comprehensive Plan, recently adopted by the Metropolitan Area Planning Commission on March 16, 2000.

The property proposed for annexation is currently vacant with the exception of a few unoccupied, farm related structures that will be removed prior to the development of the site. The total appraised value of the property is \$97,930, resulting in an assessed value of \$87,800. Using the current City levy (\$31.406/\$1000 x assessed valuation), this roughly yields \$2,758 in City annual tax revenues for the property. However, the property will become tax exempt due to the development of the pump station

The property is eligible for annexation under K.S.A. 12-520.

Motion --
-- carried

Knight moved that the annexation request be approved and the annexation Ordinance be placed on first reading.
Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A 00-07

EXECUTIVE SESSION

Motion --

-- carried

Knight moved that the City Council recess into executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending and potential litigation, legal advice and matters relating to employer-employee negotiations; and the Council return from executive session no earlier than 10:30 a.m. Motion carried 7 to 0.

RECESS

The City Council recessed at 9:50 a.m. and returned at 10:50 a.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

ADJOURNMENT

The City Council meeting adjourned at 10:50 a.m.

Pat Burnett CMC
City Clerk

Workshop:

Waste Disposal